

**MINUTES
TOWN OF BELMONT
BOARD OF SELECTMEN
SELECTMEN'S MEETING ROOM
Monday, April 13, 2009
7:00 PM**

CALL TO ORDER

A meeting of the Board was called to order in Regular Session at 7:00 by Chair Leclerc in the Selectmen's Meeting Room. Selectmen Firenze and Jones were present. Town Administrator Tom Younger and Assistant Town Administrator Jeff Conti were also present.

QUESTIONS FROM TOWN RESIDENTS

Two Belmont High School students from the BHS Student Senate appeared before the Board requesting that an operating override be put on the ballot to support the schools. Chair Leclerc noted that the Board is still discussing the factors related to this issue and that the Selectmen will likely decide on May 4th whether an operating override will be on the ballot. Chair Leclerc invited the students to come back again on May 4th.

ACTION BY APPOINTMENT

Belmont Historic District Commission (HDC)

Co-Chair Michael Smith appeared before the Board to ask for the Board's support on two Proclamations regarding Ms. Ogilby and Mr. Cheek. He thanked the Board for the recent HDC appointments. Selectman Firenze suggested that the Board create consistent guidelines for Proclamations. Selectman Jones suggested that the Board support the HDC Proclamations tonight and discuss guidelines at a later meeting.

The Board moved: To support the two Proclamations.
The motion passed unanimously (3-0).

Planning Board (PB) – Church Parking Lots Zoning Amendments

Planning Board Chair Ms. Jenny Fallon, Planning Director Jay Szklut, and Planning Board member Andy Rojas appeared before the Board to discuss the Church Parking Lot Zoning Amendments. Ms. Fallon stated that parking discussions are always controversial. There is unanimous support to allow churches to continue using their parking lots as they have in the past, e.g., for local business, neighborhood overnight, and special events. However, the Planning Board would like to draw a distinction between long- and short-term parking, and for lots that hold more than 30 spaces. The PB does not want large lots filled to capacity on a long-term basis (more than 30 days). A special permit would be required for occupation over 30 days. The Board discussed commercial

uses of church parking lots, e.g., commercial trucks in lots. Chair Leclerc objected to unsightly trucks in lots. Ms. Fallon said that to park a commercial vehicle in a church lot will require a special permit – which could be denied. Chair Leclerc requested that if churches are charging fees for parking that this be well-monitored. Taxes should be paid on the income made, he said.

Planning Board – Residential Parking

Chair Fallon, Mr. Szklut, and Mr. Rojas remained before the Board to discuss residential parking recommendations throughout town. Ms. Fallon noted that a survey was conducted and recommendations were formulated based on input from residents from both the survey and at hearing meetings. The conclusions of the data-gathering process include: support for a review of existing parking regulations, as there are more cars in town than can be accommodated; rental properties are more affected; different neighborhoods have different needs; nobody wants front yard parking; the number of cars allowed in drive ways should be reviewed; exceptions in cases of hardship should be allowed (hardship not defined); and better information is needed for the public.

The Planning Board Recommendations:

- Remove regulations from the Zoning Board and place them in the General Town By-Laws.
- Eliminate regulatory limits regarding cars in driveways (govern in parking lots only).
- The Board of Selectmen should confirm the location of properties with no space for on-site parking.
- The Board of Selectmen and Police should review enforcement of parking by-laws and promulgate a guest overnight parking policy.
- The BOS should further investigate/study: rental areas, Winn Brook, and Harvard Lawn areas.
- Regulations should be clearly posted on the town's website.

Selectman Firenze said that driveways should have parking limits. He added that it would be offensive to allow people with no parking to park on a neighboring street. Chair Leclerc would like the parking regulations to show some flexibility; the needs of one neighborhood may be very different from the needs of another neighborhood. Ms. Fallon noted that on-street parking is permissible except from 1:00 am to 7:00 am – so that this is only a slight change. Selectman Jones didn't think that the driveway parking is a big issue. Ms. Fallon noted that the overnight parking ban is very controversial and strong feelings exist on both sides.

From the audience: A resident from Waverley Street stated that allowing overnight on-street parking would have a negative impact to Belmont. Ms. Judith Sarno stated that she is opposed to overnight parking. She provided a review of the parking policies in neighboring communities: Winchester, Brookline, and Arlington. She suggested that residents with extra driveway room could rent spaces to residents with parking needs. Ms. Sheila Flewelling of Sycamore Street, stated that there is no overall consensus to

change the overnight parking policy. Ms. Jeanne Mooney, Oak Ave, requested that the PB release the draft recommendations and the survey results online.

Mr. Younger noted that the overnight parking regulations were indeed online.

Mr. Szklut offered that the PB gathered the data as it was asked to do. The PB presented the results of public input with general recommendations. A significant number of people from the survey said they wanted change, he added.

Fire Department – Proclamations

Chair Leclerc read the Fire Department proclamations for Captain McCabe, Lt. Penta, Lt. Crine, Firefighters Coates, McDonald, Gaudet, and Holleran.

The Board moved: To sign the Proclamations.

The motion passed unanimously (3-0).

Health Insurance Rates FY10

Mr. Younger summarized the recommendation of the Health Advisory Committee in changing the health insurance rate increase from 6% to 5%. At the end of FY10 the town should have \$3.6M in the health insurance fund. The Town's health care consultant recommends a 5% contribution.

The Board moved: To accept the recommendation of the Health Insurance Advisory Committee to change the health insurance rate increase for FY10 from 6% to 5%.

The motion passed unanimously (3-0).

MGL Chapter 32 B Sections 7A and 9E and 16

Chair Leclerc read a statement which explained that the town has never accepted MGL Chapter 32B, Sections 7A and 9E, which allow municipalities to pay more than 50% of employee and retiree health insurance PPO premiums. Therefore as of July 1, 2009, the town's contribution rate for all PPO plans will be set at 50%.

The Board moved: To accept the first paragraph of the statement.

The motion passed unanimously (3-0).

Selectman Jones suggested that the Board amend the second paragraph pertaining to HMO contribution rates. The Board agreed.

The Board moved: To amend the second paragraph and to accept MGL Chapter 32 B Section 16.

The motion passed unanimously (3-0).

Wellington School Liaison Discussion

Selectman Firenze noted that he has been struggling with the independence of the building committees and their absolute control over how money is spent with almost no oversight. The Board has had very little input over building committees. With regard to the Wellington School project, he would like the Board to have a representative on the building committee so that Board concerns and issues could be heard. He would like the Board to request that the Town Moderator appoint a Selectmen's representative to the building committee. Selectman Jones noted that, since the Wellington people had no objection to a Board liaison, he can support this. Chair Leclerc said he is comfortable with a "watch dog" – but not with political interference. The Board discussed this issue as well as building committees in general.

The Board moved: To ask the Town Moderator to appoint a liaison to represent the Board of Selectmen on the Wellington Building Committee.

The motion passed unanimously (3-0).

The Board moved: To recommend to the Town Moderator that Mr. Joseph Barrell be appointed as the Board of Selectmen liaison to the Wellington Building Committee.

The motion passed unanimously (3-0).

Chairman Update Report

At this point, rather than go directly to FY10 budget discussion, Chair Leclerc opted to skip ahead to his "Chairman Update Report". He noted that his "Update Report" will focus on pertinent highlights from the Warrant Committee meetings.

- The Warrant Committee would like to present an available-funds budget for discussion at Town Meeting as well as various override scenarios and a discussion of possible structural changes in the way the town does business. Chair Leclerc read a statement from WC Chair Phil Curtis which outlined the WC's report to Town Meeting.

FY10 Budget Discussion

Selectman Jones noted that the Board needs to review the budget before Town Meeting. He and the Board also discussed various budget impacts, e.g., fire, police, DPW cuts, shade tree reductions, and reductions of building repair. Mr. Younger noted two restorations to the budget: the plowing of private ways, and the pavement management pothole position. Selectman Jones asked if there were discretionary services that the town can do without. The Board discussed the available funds budget presentation under Article 1 at Town Meeting. Selectman Jones suggested that the Board schedule an additional meeting time: Thursday, April 30 at 1:00 PM.

Mr. Younger reminded the Board of the moving pieces: stimulus money, and the Police Officer grant. He added that only three communities in Massachusetts are considering offering operational overrides.

Chair Leclerc apprised the Board about the "Fab Five" group which is looking at how to restructure town government from the bottom up. They are examining streamlining options to create more efficiency. The Board discussed consolidation efforts.

Chairman Update Report (continued)

- State cuts will be severe.
- The type of override (if any) will need to be discussed.

Vote on Warrant Articles

Mr. Conti requested that the Board moved to adopt the motions of the Articles.

The Board moved: To accept the document of motions in the order presented.
The motion passed unanimously (3-0).

Articles:

The Board moved: To recommend favorable action on Article 2.
The motion passed unanimously (3-0).

The Board moved: To recommend favorable action on Article 5.
The motion passed unanimously (3-0).

The Board moved: To recommend favorable action on Article 6.
The motion passed unanimously (3-0).

The Board moved: To recommend favorable action on Article 7.
The motion passed unanimously (3-0).

The Board moved: To recommend favorable action on Article 8.
The motion passed unanimously (3-0).

The Board moved: To recommend favorable action on Articles: 11, 12, 14, 15, 18, 20, 21, 22, 23, 28, 33.
The motion passed unanimously (3-0).

The Board opted to hold off on Articles 13, 16, 17, 19, 24, 25, 26, 29, 30, 31-32.

Town Administrator's Report

Mr. Younger reported on the following items:

- The VFW will receive support by way of a legal services program.
- PERAC approved the new Retirement Board regulations.
- The Trapelo Road project is waiting for approval from the State.
- The VFW has taken out an application for a liquor license following the passage of the ballot question allowing the Selectmen to grant such a license.
- Pavement Management/Capital Budget – High School Driveway Paving. (The Board discussed in detail where the funding should come from to fix the High School driveway. Selectman Firenze said that the Schools should request the money from the Capital Budget Committee but that it should not come out of the Pavement Management allocation.)
- The Senior Center looks to be opening at the end of June.
- No new survey is needed for landfill.
- CVS – trash issues appear to be resolved.
- Winn Brook Tennis Courts – fundraising is going forward.
- Town 150th Celebration – fireworks over Clay Pit Pond: the Conservation Commission must approve; the fire works may end up being over the high school fields.

ACTION BY CONSENT

New Common Victualler's License – "Il Casale" at 50 Leonard St.

The Board moved: To approve the Victualler's license for "Il Casale" at 50 Leonard St.

The motion passed unanimously (3-0).

Memorial Day Parade – Veterans

The Board moved: To approve the Memorial Day Parade.

The motion passed unanimously (3-0).

ACTION BY WRITING

There is none.

OTHER

- Government Structure Committee's Final Report - Mr Younger will check about the submission of their final report.
- A Stimulus Committee has been formed and will meet soon.

Minutes

The Board moved: To approve the Minutes of March 2 and the Executive Session, to approve the minutes of March 4, March 16 and the Executive Session. The motion passed unanimously (3-0).

The Board moved to adjourn the meeting at 11:00 pm.

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Thomas G. Younger, Town Administrator